HON'BLE SMT. JUSTICE T. MEENA KUMARI

AND

HON'BLE SRI JUSTICE K.C. BHANU

Taken Up Writ Petition No.18537 of 2005

Dated: 2nd November 2005

Between:

V. Roopesh Kumar Reddy.

… Petitioner

And

Sri Dhanunjay, S.I. of Police, III Town Police Station,

Nellore, and four others.

… Respondents.

Oral Order: (per the Hon'ble Smt. Justice T. Meena Kumari)

…

This writ petition is taken up in pursuance of a petition dated 15-8-2005 sent by the petitioner, who is a practicing Advocate in Hyderabad, complaining about the action of the first respondent in abusing him in filthy language, assaulting and forcibly taking him and his friends to the III Town Police Station, Nellore, from a tea-stall situated near the Railway Station, Nellore on 15-8-2005 at 1-45 p.m. and detaining them till 3-15 p.m. and threatening him and his friends to kill in an encounter.

According to the petitioner, on 13-8-2005 he went to Nellore and wanted to return to Hyderabad on 15-8-2005. Accordingly, he went to railway station

and purchased ticket for the said day in Cochin – Bilaspur Express at 1-38 hours and on coming to know that the train is running late, he along with his friends Kommireddy Lenin Reddy, a local Advocate, and one Guduru Ravindrakumar, a law student, went out to have tea. At about 1-45 p.m. the first respondent along with his constables came in a jeep, that one constable approached him and asked the petitioner to leave the place, that when they are about to leave, the first respondent called him and abused all of them. When the petitioner and others gave their identity, the first respondent hit him on the face and forcibly took all of them to police station and at police station when he questioned why he was illegally detained, the first respondent abused and hit him with his hands and threatened to kill him in an encounter. Subsequently, the police released all of them on the same day at about 3-15 p.m.

When the matter has come up for hearing, the learned Government Pleader for Home has filed counter—affidavit sworn by the first respondent wherein the first respondent denied all the allegations made in the petition and also stated that he did not abuse the petitioners and also did not take them forcibly to the police station. The petitioners were never taken into custody either by him or by his personnel. He also stated that he never said anything against the judiciary as alleged in the petition and he has tendered an unconditional apology. Accepting the same, the writ petition is closed.

_____

(Smt.T.Meena Kumari, J)

_____

(K.C. Bhanu, J)

2nd November 2005

svs